

UNITED STATES COURTS OF APPEALS

FEB 18 2005

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA)

Plaintiff,)

vs.)

JOHN ANDREW GILBREATH)

Defendant,)

ORDER FOR TIME SCHEDULE

CA No.

DC No. CR 03-00106 DAE 01

District of Hawaii

Notice of Appeal Filed 02/17/05

(X) CJA or F.P.

() Paid Appeal

() Apptd Counsel

(X) Fed Defender

() Retained Counsel

() In Custody

(X) On Bail

()

() Pro Se

The parties, counsel and court personnel, in the processing of this appeal, will comply with the following time schedule:

1. If not exempt, the docket fee will be transmitted to the Clerk of the District Court IMMEDIATELY
2. Date transcript will be ordered from the court reporter. (If this case is..... 03/10/05 under CJA, give the date that the order is to be given to the court reporter.)
3. The court reporter's transcript will be filed in the District Court..... 04/11/05
(Certificate of record will be submitted to the Court of Appeals by the Clerk of the District Court immediately upon the filing of the transcript. The Certificate of Record indicates that the complete trial court record including designated transcripts is available for use by the parties.)
4. Appellant's opening brief and excerpts of record will be served and filed pursuant to..... 05/23/05
FRAP 32 and Circuit Rules 32-3 and 32-4
5. The appellee's brief of no more than 35 pages will be served and filed..... 06/22/05
pursuant to FRAP 32 and Circuit Rules 32-3 and 32-4
6. The appellant's (optional) reply brief will be served and filed pursuant to..... 07/06/05
FRAP 32 and Circuit Rules 32-3 and 32-4

By direction of the Judicial Conference of the United States, this Court must expedite criminal appeals. This time schedule must be adhered to without exception. This appeal will be deemed ready for calendaring, on the first available calendar, after the appellee's brief is filed.

For the Court

Cathy A. Catterson
Clerk, U.S. Court of Appeals

by: *Deputy Clerk*
Deputy Clerk
U.S. District Court

Note: FRAP 32 and Cir. Rule 32-3 & 32-4 sets length limitations on briefs. These may be modified only by order of the Court. Cir. Rule 42-1 requires that this appeal may be dismissed if appellants brief is not timely filed.

* * LABEL LIST * *

Case Number:1:03-cr-00106

Thomas Muehleck, Esq.
Office of the United States Attorney
Prince Kuhio Federal Building
300 Ala Moana Blvd Ste 6100
Honolulu, HI 96850

Donna Gray, Esq.
Office of the Federal Public Defenders
PJKK Federal Building
300 Ala Moana Blvd Rm 7-104
Honolulu, HI 96813